

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

**Docket No. 175.8360USU**

**Customer No.:** 27623

**As below named inventors, we hereby declare that:**

**Our residences, post office addresses and citizenships are as stated below next to our respective names.**

**We believe we are the original, and first joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:**

## CLIMATE CHAMBER FOR MICROSCOPES

the specification of which

(check one) ☒ is attached hereto.

**XXX** was filed on March 10, 2006 as Application Serial No. 10/571,297  
and was amended on \_\_\_\_\_ (if applicable).

**We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.**

We acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to us to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 and §1.63(e).

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a) – (d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate(s) or Section 365(a) of any PCT International Application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate(s) or PCT International application having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s)**

**Priority Claimed**

**10344295.2**

(Number)

## Germany

(Country)

**23 September 2003**

(Day/Mon/Year Filed)

X Yes      No

**10344294.4**

(Number)

## Germany

(Country)

**23 September 2003**

(Day/Mon/Year Filed)

X Yes      No

**PCT/EP2004/010531**

(Number)

## Europe

(Country)

**20 September 2004**

(Day/Mon/Year Filed)

**X** Yes      No

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the

first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - patent, pend., abandon.)
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_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - patent, pend., abandon.)
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We hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - patent, pend., abandon.)
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_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - patent, pend., abandon.)
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**POWER OF ATTORNEY:** As named inventors, we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

NAMES	REGISTRATION NUMBERS
Paul D. Greeley	31,019
Charles N.J. Ruggiero	28,488

SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO:
Paul D. Greeley Ohlandt, Greeley, Ruggiero & Perle, L.L.P. One Landmark Square, 10 <sup>th</sup> Floor Stamford, Connecticut 06901-2682	Paul D. Greeley Telephone: (203) 327-4500 Telefax: (203) 327-6401

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR	LAST NAME PIRSCH	FIRST NAME MATTHIAS	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY HAMBURG	STATE OR COUNTRY GERMANY	CITIZENSHIP GERMAN
POST OFFICE ADDRESS	P.O. ADDRESS HUDTWALCKER- STRASSE 37	CITY & STATE HAMBURG, GERMANY	ZIP CODE 22299

Inventor's signature

  
Matthias PIRSCH

Date

15.06.06, 2006

FULL NAME OF INVENTOR	LAST NAME HUMMEL	FIRST NAME STEFAN	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY HASELDORF	STATE OR COUNTRY GERMANY	CITIZENSHIP GERMAN
POST OFFICE ADDRESS	P.O. ADDRESS DEICHREIHE 37	CITY & STATE HASELDORF, GERMANY	ZIP CODE 25489

Inventor's signature

Stefan HUMMEL

Date

2006

FULL NAME OF INVENTOR	LAST NAME PIRSCH	FIRST NAME MATTHIAS	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY HAMBURG	STATE OR COUNTRY GERMANY	CITIZENSHIP GERMAN
POST OFFICE ADDRESS	P.O. ADDRESS HUDTWALCKER- STRASSE 37	CITY & STATE HAMBURG, GERMANY	ZIP CODE 22299

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_, 2006

Matthias PIRSCH

FULL NAME OF INVENTOR	LAST NAME HUMMEL	FIRST NAME STEFAN	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY HASELDORF	STATE OR COUNTRY GERMANY	CITIZENSHIP GERMAN
POST OFFICE ADDRESS	P.O. ADDRESS DEICHREIHE 37	CITY & STATE HASELDORF, GERMANY	ZIP CODE 25489

Inventor's signature \_\_\_\_\_ Date 20.08., 2006

Stefan HUMMEL

175.8360USU

**ASSIGNMENT**

FOR valuable and legally sufficient considerations, receipt of which is hereby acknowledged, we, **Matthias PIRSCH**, a citizen of Germany, and a resident of Hudtwalckerstrasse 37, 22299 Hamburg, Germany and **Stefan HUMMEL**, a citizen of Germany, and a resident of Deichreihe 37, 25489 Haseldorf, Germany, have co-invented certain new and useful improvements in

**CLIMATE CONTROL FOR MICROSCOPES**

and hereby assign to **EVOTEC TECHNOLOGIES GmbH**, a German corporation having its principal office at Merowingerplatz 1a, 40225 Düsseldorf, Germany (hereinafter referred to as "Assignee"), the entire right, title and interest in and to such invention, together with the patent rights and rights of protection to the same throughout the world, including any patent rights which may result from the application for United States Letters Patent which was filed in the United States Patent and Trademark Office on **March 10, 2006** and assigned Application Serial No. **10/571,297**, and any continuation, divisions, continuation-in-part applications, inventor's certificates and extensions thereof, preparatory to obtaining Letters Patent of the United States therefor; said invention, application and Letters Patent to be held and enjoyed by said Assignee for its own use and behoof and for the use and behoof of its successors and assigns, to the full end of the term for which said Letters Patent or other rights of protection may be granted as entirely as the same would have been held and enjoyed by us had the assignment not been made.

AND WE COVENANT and AGREE and WARRANT that we have full and unencumbered title to the invention hereby assigned, and we further covenant and agree that we have the right to grant such rights to said invention and application and Letters Patent and that we will, at any time upon request without further compensation, execute and deliver any and all papers or instruments that, in the opinion of the Assignee, may be necessary or desirable to secure said Assignee the full enjoyment of the rights and properties herein conveyed or intended to be conveyed by this instrument.

175.8360USU

IN WITNESS WHEREFORE, we have hereunto set our hands and seal:

Date: 15.06.06, 2006 

By: Matthias PIRSCH

HEIKE MEYER

(Printed name of witness)

Heike Meyer

(Signature of witness)

ISESTRASSE 120144 HAMBURGGERMANY

(Address of witness)

Date: \_\_\_\_\_, 2006

By: Stefan HUMMEL

(Printed name of witness)

(Signature of witness)

(Address of witness)

175.8360USU

IN WITNESS WHEREFORE, we have hereunto set our hands and seal:

Date: \_\_\_\_\_, 2006

By: Matthias PIRSCH

(Printed name of witness)

(Signature of witness)

(Address of witness)

Date: 20.08.2006, 2006

By: Stefan HUMMEL

Susanne Hummel

(Printed name of witness)

(Signature of witness)

Deichreihe 37

25489 Haseldorf

GERMANY

(Address of witness)